

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MELINDA SGARIGLIA,)	
Plaintiff,)	
v.)	Case No. 1:19-cv-05684
)	
AMERICAN INTERNATIONAL)	Honorable Robert W. Gettleman
RELOCATION SERVICES, LLC, d/b/a)	
AIRES, an Illinois limited liability)	Magistrate Judge Gabriel A. Fuentes
company, NICHOLAS GONRING, and)	
KELSEY GONRING,)	
)	Jury Demanded
Defendants.)	
)	
)	
NICHOLAS GONRING and KELSEY)	
GONRING,)	
)	
Third Party Plaintiffs,)	
)	
v.)	
)	
2726 WEST CORTEZ CONDOMINIUM and)	
JOHN GORR,)	
)	
Third Party Defendants.)	

**THIRD-PARTY PLAINTIFFS', NICHOLAS GONRING AND KELSEY GONRING
STATEMENT OF ADDITIONAL MATERIAL FACTS**

1. From about May 10, 2016, until July 25, 2018 Nicholas and Kelsey Gonring (the **“Gonring”**) were the owners of Unit 1 in a three-condo building located at 2726 West Cortez Street, Chicago, IL (the **“Building”**). (Affidavit of Kelsey Gonring, attached as **Exhibit 1, ¶2**).

2. By way of owning Unit 1, the Gonrings became members of the 2726 West Cortez Condominium Association (the **“Association”**), which is governed by its Declaration and Bylaws. (**Exhibit 1, ¶¶4-5**; Declaration and Bylaws, attached as **Exhibit 2**).

3. John Gorr (“**Gorr**”), owner of Unit 3 in the Building, served as President of the Association from before the time the Gonrings purchased Unit 1, until after they sold Unit 1 in July 2018. (Third-Party Defendants’ Exhibit 1, Declaration of Gorr, ¶2; **Exhibit 1**, ¶3).

4. On December 4, 2017, Gorr informed the Gonrings for the first time of water infiltration into Unit 3. Further, Gorr stated that this water infiltration dated back at least five years, and that Gorr had made attempts to “resolve [the water infiltration] with minor fixes”, which were ineffective at remediating the water infiltration. (**Exhibit 1**, ¶¶6-7; Correspondence from John Gorr dated December 4, 2017, attached as **Exhibit 3**).

5. After Arrow Masonry and Exterior, Inc. (“**Arrow**”) completed work at the Building, on June 14, 2018 the Gonrings and Gorr discussed what information the Association was required to disclose pursuant to 765 ILCS 605/22.1 (the “**Association Disclosure**”). During this discussion, Gorr did not inform the Gonrings of any additional or continuing issues to Unit 3. (**Exhibit 1**, ¶9; Correspondence dated June 14, 2018, attached as **Exhibit 4**; Association Disclosure, attached as **Exhibit 5**).

6. The Association Disclosure was completed and signed by Gorr, as President of the Association. (**Exhibit 5**).

7. A month later, on July 13, 2018, Gorr told the Gonrings that a moisture monitoring system had detected moisture in a window area of Unit 3 and that as a result, a contract for the sale of Unit 3 fell through. Gorr informed the Gonrings in this same correspondence that he had Arrow return to the Building to apply a second coat of sealant, which is a repair designed to stop water infiltration. (**Exhibit 1**, ¶10; Correspondence dated July 13, 2018, attached as **Exhibit 6**).

8. After Gorr's July 13, 2018 email, Kelsey Gonring never received further communication from John Gorr regarding any further moisture readings or any water intrusion in Unit 3. (**Exhibit 1**, ¶11).

9. Gorr did not inform the Gonrings that moisture was detected in a second inspection of Unit 3, or that a second contract for the sale of Unit 3 fell through. (**Exhibit 1**, ¶11).

10. At no time prior to Plaintiff's filing of this litigation was Kelsey Gonring informed by anyone, including John Gorr, that mold was discovered in Unit 3. (**Exhibit 1**, ¶12).

Dated: August 18, 2023

Respectfully submitted,

Nicholas and Kelsey Gonring

By: /s/ Jordan A. Finfer
One of their attorneys

Jordan Finfer (jfinfer@pfs-law.com)
ARDC #6296373
Elizabeth Archerd (earcherd@pfs-law.com)
ARDC #6329394
Patzik, Frank & Samotny Ltd.
200 South Wacker Drive, Suite 2700
Chicago, IL 60606
Phone: 312-1551-8300

CERTIFICATE OF SERVICE

The undersigned, a non-attorney, under penalty of perjury, hereby certifies that THIRD-PARTY PLAINTIFFS', NICHOLAS GONRING AND KELSEY GONRING, STATEMENT OF ADDITIONAL MATERIAL FACTS was electronically filed on August 18, 2023 using the court's CM/ECF system and will then send same to all ECF-registered counsel of record.

/s/ Melissa Siedlecki